

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
GREENVILLE DIVISION**

IN RE:)	
)	
CAH ACQUISITION COMPANY 16, LLC, d/b/a)	Case No. 19-01227-5-JNC
HASKELL COUNTY COMMUNITY)	
HOSPITAL,)	Chapter 11
)	
Debtor.)	

NOTICE OF REOPENED BIDDING AND ADDITIONAL BIDDING PROCEDURES

PLEASE TAKE NOTICE that the *Order (A) Establishing Bidding Procedures, (B) Approving Form and Manner of Notices, (C) Scheduling Hearing to Consider Final Approval of Sale and Treatment of Executory Contracts and Unexpired Leases, and (D) Granting Related Relief* (the “Bidding Procedures Order”) was entered in the above-captioned matter on November 27, 2019.

PLEASE TAKE FURTHER NOTICE that, at the hearing to approve the proposed sale of the Debtor’s assets on January 16, 2020, an additional bidder, Haskell Regional Hospital, Inc. (“HRH”), appeared in open court and proposed an overbid of \$200,000.00 for substantially all of the above-captioned Debtor’s tangible assets, excluding the Debtor’s accounts receivable (the “Overbid”). The Overbid substantially exceeded the current high bid received during the December 19, 2019 auction.

PLEASE TAKE FURTHER NOTICE that the Court entered an Order (Dkt. No. 405) (the “Reopened Bidding Procedures Order”) directing the Trustee to consider the Overbid of HRH and establish, pursuant to the Reopened Bidding Procedures Order, procedures for an additional auction by conference call (the “Phone Auction”). The Trustee hereby establishes, pursuant to the Reopened Bidding Procedures Order, the following procedures:

1. **Request for Participation in the Phone Auction.** Any party may request to participate in the Phone Auction. Requests for participation must be delivered to the counsel for the Trustee, Jennifer B. Lyday, via email (jlyday@waldrepllp.com) on or before **4:00 p.m. Eastern Time on Friday, January 24, 2020** (the “Request Deadline”). The Transcendental Union with Love and Spiritual Advancement and Haskell Regional Hospital, Inc. need not submit a request to participate in the Phone Auction.

2. **Phone Auction Bidding Increment.** The minimum bidding increment for the Phone Auction shall be \$10,000.00 (the “Minimum Bid Increment”). Parties shall not be required to submit a bid, deposit, or other proposal to the Trustee prior to the Phone Auction.

3. **Qualified Bidder Determination.** The Trustee, in his discretion and after consultation with any Consultation Parties, will consider the bids, statements, and representations

of the parties that request to participate in the Phone Auction, including statements and representations concerning the ability of any party's cash-on-hand, ability to secure financing in a commercially-reasonable period of time, or experience in the ownership or management of healthcare facilities, and the Trustee shall announce at the Phone Auction the parties considered to be Qualified Bidders, as defined in the Bidding Procedures Order. The Transcendental Union with Love and Spiritual Advancement and Haskell Regional Hospital, Inc. are each considered to be a Qualified Bidder.

4. **Phone Auction.** The Trustee shall hold the Phone Auction on **Monday, January 27, 2020, commencing at 4:00 p.m. Eastern Time.** The Trustee or his designee will provide conference call instructions to the email addresses from which the Trustee received requests to participate in the Phone Auction on not later than **Friday, January 24, 2020, at 5:00 p.m. Eastern Time.** Only parties that timely submit requests and that are designated by the Trustee as Qualified Bidders may participate in the Phone Auction. Notwithstanding the foregoing, the following parties shall be entitled to attend but not participate in the Auction: (i) the Bankruptcy Administrator, and (ii) any creditor providing timely notice by email to Trustee's counsel of their intention to attend and observe the Phone Auction on or before the Request Deadline.

5. **Determination of Successful Bid.** After the Phone Auction concludes with the receipt of the final submission of a bid meeting the Minimum Bid Increment, the Trustee shall consider all bids, statements, and representations, and the Trustee shall announce the highest and best bid (the "**Successful Bid**") prior to the conclusion of the Phone Auction. The Trustee shall file a Trustee's Report and Notice of Successful Bid on the docket immediately following the conclusion of the Phone Auction.

6. **Sale Hearing.** A hearing to approve a sale based on the Successful Bid (the "**Sale Hearing**") shall take place at **Wednesday, January 29, 2020, at 1:00 p.m. Eastern Time at the United States Bankruptcy Court in Greenville, North Carolina.** The Sale Hearing may be adjourned by the Trustee in consultation with the Bankruptcy Administrator from time to time without further notice to creditors or other parties in interest other than by announcement of the adjournment in open court on the date scheduled for the Sale Hearing or by filing a notice on the docket of the Debtor's Chapter 11 case.

7. **Objections to Sale.** All objections to the proposed Sale must be filed on or before **Tuesday, January 28, 2020, at 5:00 p.m. Eastern Time.**

DATE OF NOTICE: January 17, 2020

WALDREP LLP

/s/ James C. Lanik

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